

01-10-05

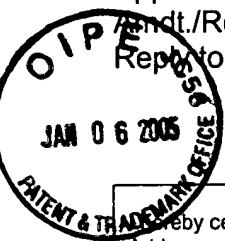
PATENT  
1641  
100Andt./Response submitted January 6, 2005  
Reply to Office Action dated October 6, 2004

JAN 06 2005

Customer No. 22,852

Attorney Docket No. 10004416

Finnegan Ref. No. 07896.0056-00000

**CERTIFICATE OF EXPRESS MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office to Addressee" service under 37 CFR § 1.10, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 6, 2005. Express Mail Label No.: EV 533067940 US

Signed: *Andy Schwaab*

Andrew B. Schwaab

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
 Michael GREENSTEIN et al. ) Group Art Unit: 1641  
 Application No.: 09/981,440 ) Examiner: LAM, Ann Y.  
 Filed: October 16, 2001 )  
 For: THERMAL REGULATION OF ) Confirmation No.: 5699  
 FLUIDIC SAMPLES WITHIN A )  
 DIAGNOSTIC CARTRIDGE )

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

**AMENDMENT AND RESPONSE TO OFFICE ACTION**

In response to the Office Action mailed October 6, 2004, please amend the above-referenced application as set forth below and consider the following remarks:

**Amendments to the Claims** are reflected in the listing of claims that begins on page 2 of this paper.

**Remarks/Arguments** begin on page 7.

AGILENT TECHNOLOGIES, INC.  
Legal Department, DL429  
Intellectual Property Administration  
P. O. Box 7599  
Loveland, Colorado 80537-0599

ATTORNEY DOCKET NO. 10004416-1

OIP  
JAN 06 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Investor(s): Michael GREENSTEIN et al.

Serial No.: 09/981,440

Examiner: LAM, Ann Y.

Filing Date: October 16, 2001

Group Art Unit: 1645

Title: THERMAL REGULATION OF FLUIDIC SAMPLES WITHIN A DIAGNOSTIC CARTRIDGE

COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria VA 22313-1450

TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:

<input checked="" type="checkbox"/> Response/Amendment	<input type="checkbox"/> Petition to extend time to respond
<input type="checkbox"/> New fee as calculated below	<input type="checkbox"/> Supplemental Declaration
<input checked="" type="checkbox"/> No additional fee (Address envelope to "Mail Stop Non-Fee Amendments")	
<input type="checkbox"/> Other: _____	(Fee \$ _____)

CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY						
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3) NUMBER EXTRA	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEES
TOTAL CLAIMS	20	MINUS	20	=	X 18	\$ 0.00
INDEP. CLAIMS	2	MINUS	3	=	X 88	\$ 0.00
<input type="checkbox"/> FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM					+ 300	\$ 0.00
EXTENSION FEE	1 <sup>ST</sup> MONTH 110.00 <input type="checkbox"/>	2 <sup>ND</sup> MONTH 430.00 <input type="checkbox"/>	3 <sup>RD</sup> MONTH 980.00 <input type="checkbox"/>	4 <sup>TH</sup> MONTH 1530.00 <input type="checkbox"/>		\$ 0.00
						OTHER FEES \$ 0.00
						TOTAL ADDITIONAL FEE FOR THIS AMENDMENT \$ 0.00

Charge \$0 to Deposit Account 50-1078. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 50-1078 pursuant to 37 CFR 1.25.

Additionally please charge any fees to Deposit Account 50-1078 under 37 CFR 1.16, 1.17, 1.19, 1.20 and 1.21. A duplicate copy of this transmittal letter is enclosed.

Respectfully submitted,  
Finnegan, Henderson, Farabow, et al.

By Andy Schwaab  
Andrew B. Schwaab  
Attorney/Agent for Applicant(s)

"Express Mail" label no. EV 533067940 US

Date of Deposit: January 6, 2005

I hereby certify that this is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

Typed Name: Andrew B. Schwaab

Signature: Andy Schwaab

Reg. No. 38,611

Date: January 6, 2005

Telephone No. 650.849.6643